

SECOND REGULAR SESSION

# SENATE BILL NO. 706

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR RUPP.

Pre-filed December 14, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To amend chapter 375, RSMo, by adding thereto one new section relating to the review of license examinations for life insurance producers.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 375, RSMo, is amended by adding thereto one new  
2 section, to be known as section 375.024, to read as follows:

**375.024. 1. The provisions of this section shall only apply to life  
2 insurance producer examinations.**

**3 2. The director or, at the director's discretion, a vendor under  
4 contract with the department, shall review license producer  
5 examinations subject to the provisions of this section if, during any  
6 twelve-month period beginning on September first of a year, the  
7 examinations exhibit an overall pass rate of less than seventy percent  
8 for first-time examinees.**

**9 3. The department shall collect demographic information,  
10 including, race, gender, and national origin, from an individual taking  
11 a license examination subject to the provisions of this section.**

**12 4. The department shall compile an annual report based on the  
13 review required under subsection 2 of this section. The report shall  
14 indicate whether there was any disparity in the examination pass rate  
15 based on demographic information.**

**16 5. The director by rule may establish procedures as necessary to:**

**17 (1) Collect demographic information necessary to implement the  
18 provisions of this section; and**

**19 (2) Ensure that a review required under subsection 2 of this  
20 section is conducted and the resulting report is prepared.**

**21 Any rule or portion of a rule, as that term is defined in section 536.010,**

22 that is created under the authority delegated in this section shall  
23 become effective only if it complies with and is subject to all of the  
24 provisions of chapter 536, and, if applicable, section 536.028. This  
25 section and chapter 536, are nonseverable and if any of the powers  
26 vested with the general assembly pursuant to chapter 536, to review, to  
27 delay the effective date, or to disapprove and annul a rule are  
28 subsequently held unconstitutional, then the grant of rulemaking  
29 authority and any rule proposed or adopted after August 28, 2010, shall  
30 be invalid and void.

31         6. The director shall deliver the report prepared under this  
32 section to the governor, the lieutenant governor, the president pro tem  
33 of the senate, and the speaker of the house of representatives not later  
34 than December first of each year.

35         7. The first twelve-month period for which a license examination  
36 review may be required under this section shall begin September 1,  
37 2010.

38         8. The director shall deliver the initial report required under  
39 this section, not later than December 1, 2011.

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